

HARBOR COMMISSION AGENDA

City of Newport Beach
3300 Newport Blvd.
Council Chambers
Wednesday, October 12, 2011
Regular Meeting: 6:00 pm

Doug West
Duncan McIntosh
Marshall Duffield
Brad Avery

Karen Rhyne
Ralph Rodheim
Vincent Valdes

CALL TO ORDER

6:00 P.M.

ROLL CALL / INTRODUCTION

The Commissioners sitting before you are citizens of Newport Beach who volunteer to serve on the Harbor Commission. They were appointed by the City Council at large by majority vote for 4-year terms. The people sitting at the table in front are City staff members and a Council Member who are here to advise us during the meeting. Immediately to my left are:

*Chris Miller, Harbor Resources Manager
Shannon Levin, Harbor Resources Supervisor
Council Member Nancy Gardner, Council Liaison to the Harbor Commission*

PLEDGE OF ALLEGIANCE

MINUTES

Recommended Action: Approve Minutes from September 2011.

This Commission is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Commission's agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Commission, and on items not on the agenda but are within the subject matter jurisdiction of the Commission. The Commission may limit public comments to a reasonable amount of time, generally either three (3) or five (5) minutes per person.

Regular meetings of the Harbor Commission are generally held on the second Wednesday of each month at 6:00 p.m. Staff reports or other written documentation have been prepared. The agendas, minutes and staff reports are available on the City's web site the Friday afternoon before the meeting. The address is: <http://newportbeachca.gov/> under Agendas & Minutes, then Harbor Commission. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Harbor Resources staff at (949) 644-3041.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact Shannon Levin, Harbor Resources Supervisor, at least 72 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible. (949-644-3041 or Shannon@newportbeachca.gov).

PUBLIC COMMENTS

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Harbor Commission. Speakers must limit comments to 3-minutes. Before speaking, please state your name and address for the record.

ALL TESTIMONY GIVEN BEFORE THE HARBOR COMMISSION IS TAPE RECORDED. SPEAKERS MUST LIMIT REMARKS TO THREE MINUTES ON ALL ITEMS. (Red light signifies when three minutes are up; yellow light signifies that the speaker has one minute left for summation.)

ACTION & APPEAL ITEMS

ITEM #1

Subject: Harbor Speed— Nautical Miles Per Hour vs. Miles Per Hour

Abstract: The Harbor Commission's Speed Limit Subcommittee is requesting the Commission to revisit the subject of converting the speed limit from 'nautical miles per hour' ("Knots") to 'miles per hour' ("MPH").

Discussion:

Public Comments:

Action: Review topic and recommend staff to proceed with Council review of the Ordinance.

SUB-COMMITTEE REPORTS

QUESTIONS AND ANSWERS WITH COUNCIL LIAISON ON HARBOR RELATED ISSUES

HARBOR RESOURCES UPDATE – Receive and File

PUBLIC COMMENTS ON SUB-COMMITTEE REPORTS OR HARBOR RESOURCES UPDATE

COMMISSIONER'S ANNOUNCEMENTS OR MATTERS TO BE PLACED ON FUTURE AGENDAS FOR DISCUSSION, ACTION OR REPORT

RECOMMENDED TOPICS FOR FUTURE AGENDAS

- Hazardous Waste Disposal in the Harbor

DATE AND TIME FOR NEXT MEETING: Wednesday, November 9, 2011 at 6 P.M.



== CITY OF ==

NEWPORT BEACH

Harbor Commission Staff Report

Agenda Item No. 1
October 12, 2011

TO: HARBOR COMMISSION

FROM: Public Works Department
Chris Miller, Harbor Resources Manager
949-644-3043, cmiller@newportbeachca.gov

TITLE: Nautical Miles Per Hour vs. Miles Per Hour

ABSTRACT:

The Harbor Commission's Speed Limit Subcommittee is requesting the Commission to revisit the subject of converting the speed limit from 'nautical miles per hour' ("Knots") to 'miles per hour' ("MPH").

RECOMMENDATION:

1. Uphold the Harbor Commission's previous decision to convert the speed limit from Knots to MPH; or
2. Recommend that the current Knots standard remain in place.

FUNDING REQUIREMENTS:

There is no fiscal impact related to this item.

DISCUSSION:

On April 13, 2011, the Harbor Commission recommended that staff proceed with revising the Harbor speed limit to allow sailboats and human powered vessels to exceed the speed limit during a permitted race. In addition, the Commission supported converting the speed limit from Knots to MPH in order to be consistent with State and County Code.

However, after additional public outreach during the final editing of the proposed Ordinance, the Speed Limit Subcommittee heard considerable opposition to converting the speed limit from Knots to MPH. Even though there is an undetectable difference between the two standards (1 Knot = 1.151 MPH), some boaters believe Newport Beach should retain its nautical heritage and keep Knots as the standard.

The subcommittee is requesting the Harbor Commission to revisit this topic, then recommend staff to proceed with Council review of the Ordinance.

ENVIRONMENTAL REVIEW:

Staff recommends the Harbor Commission find this action is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the Harbor Commission considers the item).

Submitted by:

Chris Miller